JS 44 (Rev. 06/17)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. *(SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)*

I. (a) PLAINTIFFS

Alpine Securities Corporation, a Utah corporation, Scottsdale Captial Advisors, an Arizona corporation

(b) County of Residence of First Listed Plaintiff   Salt Lake
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys *(Firm Name, Address, and Telephone Number)*

Brent R. Baker, Aaron D. Lebenta and Jonathan D. Bletzacker of Clyde Snow and Sessions: 201 South Main St., Ste. 1300, SLC, UT 84111

DEFENDANTS

United States Securities and Exchange Commission

County of Residence of First Listed Defendant   Salt Lake
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys *(If Known)*

II. BASIS OF JURISDICTION *(Place an "X" in One Box Only)*

- ☐ 1 U.S. Government Plaintiff
- ☐ 3 Federal Question *(U.S. Government Not a Party)*
- ☒ 2 U.S. Government Defendant
- ☐ 4 Diversity *(Indicate Citizenship of Parties in Item III)*

III. CITIZENSHIP OF PRINCIPAL PARTIES *(Place an "X" in One Box for Plaintiff and One Box for Defendant)*
(For Diversity Cases Only)

	PTF	DEF		PTF	DEF
Citizen of This State	☐ 1	☐ 1	Incorporated *or* Principal Place of Business In This State	☐ 4	☐ 4
Citizen of Another State	☐ 2	☐ 2	Incorporated *and* Principal Place of Business In Another State	☐ 5	☐ 5
Citizen or Subject of a Foreign Country	☐ 3	☐ 3	Foreign Nation	☐ 6	☐ 6

IV. NATURE OF SUIT *(Place an "X" in One Box Only)*

Click here for: Nature of Suit Code Descriptions.

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
☐ 110 Insurance	**PERSONAL INJURY** / **PERSONAL INJURY**	☐ 625 Drug Related Seizure of Property 21 USC 881	☐ 422 Appeal 28 USC 158	☐ 375 False Claims Act
☐ 120 Marine	☐ 310 Airplane / ☐ 365 Personal Injury -	☐ 690 Other	☐ 423 Withdrawal 28 USC 157	☐ 376 Qui Tam (31 USC 3729(a))
☐ 130 Miller Act	☐ 315 Airplane Product Liability / Product Liability			☐ 400 State Reapportionment
☐ 140 Negotiable Instrument	☐ 320 Assault, Libel & / ☐ 367 Health Care/		**PROPERTY RIGHTS**	☐ 410 Antitrust
☐ 150 Recovery of Overpayment & Enforcement of Judgment	Slander / Pharmaceutical Personal Injury		☐ 820 Copyrights	☐ 430 Banks and Banking
☐ 151 Medicare Act	☐ 330 Federal Employers' / Product Liability		☐ 830 Patent	☐ 450 Commerce
☐ 152 Recovery of Defaulted Student Loans (Excludes Veterans)	Liability / ☐ 368 Asbestos Personal		☐ 835 Patent - Abbreviated New Drug Application	☐ 460 Deportation
	☐ 340 Marine / Injury Product		☐ 840 Trademark	☐ 470 Racketeer Influenced and Corrupt Organizations
☐ 153 Recovery of Overpayment of Veteran's Benefits	☐ 345 Marine Product Liability / Liability		**SOCIAL SECURITY**	☐ 480 Consumer Credit
☐ 160 Stockholders' Suits	☐ 350 Motor Vehicle / **PERSONAL PROPERTY** / ☐ 370 Other Fraud	**LABOR**	☐ 861 HIA (1395ff)	☐ 490 Cable/Sat TV
☐ 190 Other Contract	☐ 355 Motor Vehicle / ☐ 371 Truth in Lending	☐ 710 Fair Labor Standards Act	☐ 862 Black Lung (923)	☐ 850 Securities/Commodities/ Exchange
☐ 195 Contract Product Liability	Product Liability / ☐ 380 Other Personal	☐ 720 Labor/Management Relations	☐ 863 DIWC/DIWW (405(g))	☐ 890 Other Statutory Actions
☐ 196 Franchise	☐ 360 Other Personal / Property Damage	☐ 740 Railway Labor Act	☐ 864 SSID Title XVI	☐ 891 Agricultural Acts
	Injury / ☐ 385 Property Damage	☐ 751 Family and Medical	☐ 865 RSI (405(g))	☐ 893 Environmental Matters
	☐ 362 Personal Injury - / Product Liability	Leave Act		☐ 895 Freedom of Information Act
	Medical Malpractice			
REAL PROPERTY	**CIVIL RIGHTS** / **PRISONER PETITIONS**	☐ 790 Other Labor Litigation	**FEDERAL TAX SUITS**	☐ 896 Arbitration
☐ 210 Land Condemnation	☐ 440 Other Civil Rights / **Habeas Corpus:**	☐ 791 Employee Retirement Income Security Act	☐ 870 Taxes (U.S. Plaintiff or Defendant)	☒ 899 Administrative Procedure Act/Review or Appeal of Agency Decision
☐ 220 Foreclosure	☐ 441 Voting / ☐ 463 Alien Detainee		☐ 871 IRS—Third Party 26 USC 7609	☐ 950 Constitutionality of State Statutes
☐ 230 Rent Lease & Ejectment	☐ 442 Employment / ☐ 510 Motions to Vacate Sentence			
☐ 240 Torts to Land	☐ 443 Housing/ Accommodations / ☐ 530 General			
☐ 245 Tort Product Liability	☐ 445 Amer. w/Disabilities - Employment / ☐ 535 Death Penalty	**IMMIGRATION**		
☐ 290 All Other Real Property	☐ 446 Amer. w/Disabilities - Other / **Other:**	☐ 462 Naturalization Application		
	☐ 448 Education / ☐ 540 Mandamus & Other	☐ 465 Other Immigration Actions		
	/ ☐ 550 Civil Rights			
	/ ☐ 555 Prison Condition			
	/ ☐ 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN *(Place an "X" in One Box Only)*

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District *(specify)*
- ☐ 6 Multidistrict Litigation - Transfer
- ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing *(Do not cite jurisdictional statutes unless diversity)*:
5 USC 550, et seq; 31 USC 5311-5330; 17 CFR 240.17a-8
Brief description of cause:
Administrative Procedure Act, Declaratory Judgment and Preliminary Injuction

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A **CLASS ACTION** UNDER RULE 23, F.R.Cv.P.

DEMAND $

CHECK YES only if demanded in complaint:
JURY DEMAND: ☒ Yes   ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):   JUDGE _____   DOCKET NUMBER _____

DATE
06/22/2018

SIGNATURE OF ATTORNEY OF RECORD
/s/ Brent R. Baker

FOR OFFICE USE ONLY

RECEIPT # _____   AMOUNT _____   APPLYING IFP _____

Case: **2:18-cv-00504**
Assigned To : **Waddoups, Clark**
Assign. Date : **6/22/2018**
Description: **Alpine Securities, et al v. US Securities and Exchange Commission**